

Dedication of the New Court House.

On Tuesday, May 1st, 1877, the new Court House in Beaver was dedicated. The large and excellently furnished audience room was densely packed with people, many of those present being from the adjoining counties. At ten and one-half A. M., those present were called to order by Judge Chamberlin, who had been selected to preside on the occasion. Esqs. S. B. Wilson and E. B. Daugherty were the Vice Presidents, and occupied seats on the platform. On the speaker's stand were also the Rev. J. K. Miller, Judge McGuffin, of Lawrence county, and Judges Hice, Lawrence and Wilson of this county. After the audience became still Judge Chamberlin announced that the Rev. J. K. Miller would open the exercises with prayer. That gentleman came forward and invoked the Divine blessing as follows:

Our Father and our God, we thank thee sincerely that thou has prolonged our lives to see this fine edifice finished and to be present at its dedication as a temple of justice. Favor us with thy presence and benediction. We cherish grateful recollections of the numerous deliverances wrought out for us, and the many wonderful interpositions of divine providence in our behalf during the recent one hundred years of our independence. We learn that our fore-fathers, in the days of Washington, the father of his country, trusted in Thee, and were not disappointed, and we now propose and purpose to confide the more implicitly in Thee as our God and Father for the future; especially as we find it upon record in this book of books,* in the 125 Psalm, "They that trust in the Lord shall be as Mount Zion, which cannot be removed, but abideth forever."

"And what Thy mouth in truth hath said
Thine own Almighty hand will do."

Grant, we pray Thee, oh gracious Creator, that this second centennial may be replete with Peace, Freedom, Justice and Prosperity.

*Referring to a handsome Bible, which Mr. Miller had presented for the use of the Court.

And as in duty bound, we pray for all our rulers. The Chief Magistrate, the President of these United States, and his Cabinet; for the Governor of this State and his associates; in brief; for each of the great branches of our government, the Legislative, Executive and Judiciary; last, not least, but figuratively the keystone of the arch, by which the rights and liberties of every citizen of the commonwealth are sedulously guarded. We therefor pray earnestly for the judges of all our courts of justice, high and low, that they may be endowed with pre-eminent wisdom, purity and independence.

We now thank Thee that we are favored with the presence of Thy servant, the Chief Justice of this Commonwealth, who now delivers the dedicatory address. May he be divinely influenced and the services of this propitious occasion, in this beautiful court room meet with Thy approval, and tend to make us all the wiser and better for being here. Make us, oh God, Thy righteous servants on earth; may we die in peace and meet again, never to sever, in the "saint's everlasting rest in heaven," through Jesus Christ our Lord. Amen.

On the conclusion of the prayer Hon. B. B. Chamberlin said:

FELLOW-CITIZENS, LADIES AND GENTLEMEN:—It is under somewhat novel circumstances that we are assembled, and I confess very considerable embarrassment, in view of the surroundings, and of this being the first meeting in this magnificent hall. I see assembled the representatives of all the varied interests of the county, and of our neighboring counties. The ingenious artisan, the architect, the builder, the enterprising manufacturer, the industrious mechanic, different avocations are represented here to-day. The ministers of the Christian faith and the masters and professors of our educational systems are present to grace the occasion. The distinguished Chief Justice of the Supreme Judiciary lends his countenance, and kindly consents to give us the affluence of his learning and experience. The honored President Judge of the District, hereafter to administer justice from this hall, with all the officers and Bar of the county, pertaining to the machinery of the judiciary are present. Fellow-citizens, the occasion is one in which we all must feel an honest pride, in contributing to the dedicatory services of this edifice, so well planned and completed. The subject of the Court House begets some differences of opinion. There was, and perhaps is yet, a difference of opinion as to the propriety of building a Court House at this time, and as to its location, etc., but all these objections, when passed upon by the proper officers

and the matter determined by constituted authority, pass away. As a citizen I might prefer to see the building at a different place, but I do not know that there ever was any prevalent opinion in my locality that the building should be there, but it is possible that there was a feeling that a compromise, and an intermediate place, might have been chosen for the new building. But as it has been acted upon, we are bound as good citizens to acquiesce. We should be satisfied in the completion of such a magnificent Court House. I have heard it said that in beauty and convenience this building is not surpassed in Western Pennsylvania. Then, fellow-citizens, we enter upon the service of consecrating this edifice to Justice, Law and Order. As an important feature connected with this occasion, his honor, the Chief Justice of this Commonwealth, is present, and will now address us.

When Judge Chamberlin had concluded his remarks, Hon. Daniel Agnew, Chief Justice of the Supreme Court of Pennsylvania, delivered the dedicatory address as follows :

Judge Agnew's Address.

LADIES AND GENTLEMEN:—There are occasions when the celebration of a public event, by appropriate ceremonies, is instructive to those whom it concerns, marking their progress as a people in refinement and culture, and this one is eminently so. What can be more deeply interesting to intelligent freemen, than the dedication of a temple to the service of that great and ruling principle, upon which hang all their rights, their interests and their happiness?

Law! Grand, immutable, inscrutable energy! Springing from the unfathomed depths of the Great Jehovah, permeating all his works, and carrying blessings everywhere, it is the type and the very basis of human institutions. Deprived of human law, what would be the condition of man? Without it might would be right, fraud success, and violence redress. And without law what is justice? A form without life, a voice dying on the air. To give efficacy to this great regulating, refining, enduring principle, you have assembled this day to dedicate this beautiful structure to the service of the Ministry of Justice. It is a building worthy of its projectors, creditable to those who planned and built it, and a testimonial of honor to the people who gave their means to erect it. Long may it stand a work of high art, a monument of liberality, and a tower of safety for the rights of the people.

This house marks an epoch in the history of the county. As we survey its surface, we behold the evidences of improvement in the physical and mental condition of its inhabitants, and mark the progress made since its organization. If we recur to the first decade of the century, we discover a people in a rude state of civilization, living in round log cabins, made with the axe and the augur—drawing a scanty support from the earth by the labor of their hands, and possessing few comforts and no luxuries—simple in garbs woven by their own hands, and colored from the bark of the forest. They were without much education, uncouth in speech and unpolished in manners. Yet to their praise be it spoken, they were, notwithstanding these accidents of situation, virtuous, sincere, hospitable, courageous and honest, having strong religious convictions, a just sense of right and wrong, and full of patriotic fire. Such were the early settlers of Beaver county—not barbarous, but made primitive by the wilderness around them. Their type was the sun rising in cloud and fog and half obscured. Now looking abroad, as when the orb of day has risen to meridian splendor, casting effulgence on every hand, we take in a people abounding in wealth and comfort, enjoying the advantages of education in manners, morals, learning, and art; and gaining a bountiful supply for all earthly need, from trades, professions and avocations unknown to their simple ancestors. No longer confined to the scanty avails of manual efforts, they reach far into the realms of thought, drawing forth the rich fruits of all the intellectual forces. Now schools, academies and colleges stand thickly on the soil. Great mills and manufactories utilize its products; beautiful dwellings, and graceful and grand creations of architecture adorn and dignify the rich domain. The wolf, the bear, and the catamount once contesting the title of the settler to the forest around him, no longer alarms with his howl or his cry, while the ox, the horse and the sheep now fill their places, and the forest itself has given way to green pastures, and fields of waving grain and bending corn. Science and art too have added their grand achievements, in the telegraph and the railroad, conveying instant thought, and the persons and products of men to distant climes. Even now we listen to the sound of far off voices and of music, brought by the telephone over hill and dale, and mountain and valley, and across the rivers that run to the sea. The sun too has turned portrait painter and takes your likeness in a few seconds.

But the changes of nature, and in the circumstances of the people are not the only mutations we see. Law is the central thought of this

dedication, and the change in the subjects, character and forms of litigation is not less remarkable. In the early times these were of the simplest kinds. Tresspasses on lands or cattle, or the humble personal effects of the settler and the small tradesman; breaches of petty contracts for work or of sale, and contracts for lands in their most simple state—these were the common subjects of conflict, and brought into use the simplest forms of actions—trespass, and on the case, replevin, trover, assumpsit, covenant, and in ejectment. Let me instance a suit brought to the first term, February, 1804. Thomas Hartshorne vs. Thomas Sprott, Esq. Replevin for one sow and ten pigs, marked with a crop off the right ear and half a crop out of the under side of the left ear, of the value of \$10. Verdict for the defendant—a new trial, and judgment for the plaintiff for \$6 damages—costs \$35.87. The Squire paid well for his pork. Beyond these simple forms of action the rural lawyer rarely looked. Perhaps he had read of others in black letter book, but they were useless mysteries.

Now mark the contrast! The land is filled with new kinds of business, new agencies for their execution, new forms of art, new products of labor, new machines, new wants, new supplies, and novelties of every sort. Even new beings exist—artificial persons, creations of the law—these have arisen with new purposes and new methods of proceeding. Corporations lie thickly about us. Some assist at birth and others at death, some take care of the living, and others of the effects of the dead. They take charge of our property and persons, insure them against danger and death, transport them from place to place, educate, facilitate and employ. Higher types of hand labor and of machine work, and grander modes of intercourse now fill the earth. Commerce swells the avenues of business with new subjects of trade, new forms of contracts, and new agencies of performance. These and others too numerous to mention, have brought new laws and new modes of proceeding as various as shells on the sea shore; and new remedies for wrongs have multiplied like the locusts that swarm over the plains.

Now bills for specific performance, bills for injunction, bills for account, and bills without count, bills of discovery, of revivor and interpleader, writs of *mandamus*, *quo warranto*, of *error coram vobis et vobis*, and writs that few understand; actions for death and negligence, against cities and towns, corporations and individuals. Complaints of all kinds, more than one can state, now thicken around the crowded brain of the lawyer until he seeks refuge in specialties, and we are intro-

duced to the corporation lawyer, the insurance lawyer, the admiralty, the land and real estate, the orphans' court and quarter sessions lawyer, the proctor, the solicitor and the counselor. They swarm from the hive like bees, and the ladies will be glad to know that like bees they take their queens.

But we are reminded that law must have its place of enforcement. A court is said to be a *placé* wherein justice is judicially administered. Take care of the pronounciation of this definition, lest "in" unite with "justice," and a caviller say a truth is told. The location of the seat of justice at Beaver brings up memories of local history, some of which operated on the minds of the men of 1800 in placing it here. On this beautiful plain in times long gone bye—more than a century and a quarter ago—the mercurial Frenchman found a lodging among the wild men of the forest, unsuited to Parisian taste, yet made fit by his loyalty to his king. In front flows the Ohio, the Frenchman's "La Belle Riviere," and the Indian's "Clear Water." Above, the Big Beaver rolls down over miles of rocky falls. Far back, before civilization had planted her footsteps on the virgin soil, it took its name, by translation from the Indian tongue, from the useful animal inhabiting its waters. The town took its name from the stream, and the county its from both.

The earliest mention of the name of the stream I have noticed is found in Conrad Weiser's journal of his journey to Logstown. Of course it had a previous existence. Leaving Heidelberg township, Berks county, on the 11th of August, 1748, Weiser crossed the "Allegheny Hills," coming on the 22d to the "Clearfields," now in Clearfield county. On the 25th he crossed the "Kiskeminetoes," coming to the Ohio the same day. The Allegheny was then so-called, and is thus named in the treaties with the Indians at Fort Stanwix in 1768 and 1784, both describing the boundary of the purchases as striking the Ohio at the Indian village of Kittanning. On the 30th of August Weiser came to "Beaver creek," and finally reached Logstown, on the north bank of the Ohio, below the present town of Economy. The "Little Beaver," twelve miles below the "Big," is mentioned by Washington in his journal of his mission to the French Commandant at Fort Le Boëuff and Venango in November, 1753. On his arrival at Logstown he says the "Half King was at his hunting cabin on Little Beaver, and was sent for there.

A most interesting account of this region is given by Christian Frederick Post, a German and Moravian preacher twice sent out from Philadelphia in 1758 to the Indians living west of Fort Duquesne. In his second journal, November 16th, 1758, he says: "We went down a long valley to Beaver creek, through old Kushkush-

ing, a large spot of land about three miles long." Kushkushing was a Delaware town near the junction of the Shenango and Mahoning which form the Big Beaver, and on the west side of the Beaver. In Weiser's journal the town is called "Caskaskie." Here lived the famous chief of the "Turtle tribe" of the Delawares, known as "King Beaver," or "The Beaver," and here we reach the origin of the present name of the stream, it being evidently a translation of the Indian name. Both men and tribes were distinguished by the names of favorite animals. In the Irrequois confederacy or Five Nations there were eight tribes of each nation, known as the Wolf, Bear, *Beaver*, Turtle, Deer, Snipe, Heron and Hawk. The Delawares were not of the confederacy, but their tribes were distinguished in a similar manner. I have not discovered the Delaware name for "Beaver," but among the Irrequois it was "Non-ga-nee-ar-goh." "King Beaver," or "The Beaver" is frequently mentioned and his speeches preserved in the conferences with the Indians—in that of George Croghan, deputy to Sir William Johnston, His Majesty's Superintendent of Indian Affairs at Fort Pitt in July, 1759—of Brigadier General Stanwix, at Fort Pitt in October, 1759, and in the journal of Colonel Henry Boquet of his expedition in 1764 from Fort Pitt to the Indians westward. At the conference, November 10th, with the Turkey and Turtle tribes of the Delawares, "King Beaver" is set down as the "chief of the Turkey tribe, with twenty warriors." This proves that his name, "Beaver," was personal and not tribal, being taken probably from the stream on which he lived, as before mentioned. I have taken these facts from an article on the origin of the name of Beaver county, written by myself, therefore it will not be deemed plagiarism.

The town of Beaver is emphatically a child of the State, and its large lots (300 by 120 feet,) and wide streets, (100 feet) bear no impress of private economy. It was laid out under authority of the act of 28th September, 1791, by Daniel Leet, whose survey was adopted and ratified by the act of 6th March, 1793; and covers the site of the old French and Indian town upon which Fort McIntosh was built. Beaver county was erected by the act of 12th March, 1800. The act recites the reservation contained in the act of 13th of March, 1783—"to the use of the State of 3,000 acres on both sides of the mouth of Big Beaver creek, including Fort McIntosh." The out-lots of Beaver, and the grant of 500 acres for the use of an Academy, were also laid out upon this reservation. A similar reservation of 3,000 acres was made at the junction of the Allegheny with the Ohio, on which the town of Allegheny and a common of pasture for the lot owners of 100 acres, (the present parks,) and the out-lots were surveyed under the act of 11th September, 1787.

Fort McIntosh was built in 1778, and from it General McIntosh marched with 1,000 men against the Sandusky towns, and built Fort Laurens on the Tuscarawas. Some of the lines of Fort McIntosh were visible when I came to Beaver in 1829. One of these lines and the places of the terminal bastions may yet be discerned upon close observation. It was a strong stockade, and mounted one six pounder. A covered way descended the face of the hill to the bottom, where a well was said to be dug, water not being had on the plain short of the hill, a half a mile in the rear. Fort McIntosh was the scene of the last treaty with the Indians, which extinguished their title to the soil of Pennsylvania. The treaties of 1768 and 1784 at Fort Stanwix on the Susquehanna, were made with the chiefs of the Six Nations, the Mohawks, Oneidas, Onondagoes, Senecas, Tuscarawas and Cayugas. These treaties were made after the Tuscarawas had joined the Five Nations. The treaty of Fort McIntosh was made in January, 1785, with the Wyandotts and Delawares, the last claimants of title, and ran in the words of the description of the boundary line between the purchases of 1768 and 1784. In anticipation of the extinction of the Indian title, the State had by the act of 1783 laid off the country west of the Allegheny and north of the Ohio into two grand sections, intended as donations to the Revolutionary soldiers of the Pennsylvania line, and for the redemption of the certificates of depreciation from the continental scale given to them for their pay. The donation lands lay north of a due west line from Mogulbughiton creek, above Kittanning, to the Ohio State boundary. The depreciation land, as it was called, lay south of this line, which ran between five and six miles south of the present town of New Castle.

These historical reminiscences are not foreign to my theme, for they are connected with two german subjects—the litigation attending the land titles in the county, and the location of the county seat. The Depreciation lands were ordered to be sold at the Coffee house, in Philadelphia, but bringing very low prices the sales were suspended. Of the Donation lands, many of the tracts were undrawn, and a large tract of country called the “Struck District” was withdrawn from the wheel as unfit on account of its broken and hilly character. A part of the “Struck District” lay in Butler county. Afterwards came the act of 3d April, 1792, which opened to settlement and survey the unappropriated lands north of the Ohio, and west of the Allegheny river and Conewongo creek. It was a most unfortunate law for the State. It provided two modes of appropriation—one by warrant and survey, the other by actual settlement and survey—the 9th section making void and subject to new warrants all warrants under which an actual settlement should not be made

within two years next after the date of the original warrant. Under this section sprang up that once famous contest in the courts of the State and of the United States, whether the warrants were void, or voidable only by non-fulfillment of the conditions of settlement; and its kindred question, whether the Indian war excused, or only suspended the performance of the condition. At the passage of the act of 1792 this region was uninhabited, by reason of the Indian war, excepting in a very few instances of settlement near the rivers. As a consequence capitalists, residing chiefly in Philadelphia, immediately availed themselves of the warrant mode of acquiring title, appropriating large tracts of country. The warrants of the Pennsylvania Population Company, organized by John Nicholson, are generally dated on the 14th day of December, 1792, and covered a large part of the territory of Beaver county north of the Ohio. The Indians being defeated by General Wayne at the battle of Maumee, on the 18th of August, 1794, he concluded a treaty of peace with them on the 3d of August, 1795, which was ratified by the Senate on the 22d of December following. This was the signal for actual settlements under the act of 1792, and in the spring of 1796 came that great wave of settlers which quickly covered the lands of the county. Now the contest began. The settlers believing the warrants forfeited by non-settlement under the warrants within two years, sat down upon the surveyed tracts, in disregard of the titles of the warrantees. A warfare followed, which, for nearly forty years, distracted this unhappy region, and delayed its improvement. This is not the time and place to trace in a brief address the history of that great controversy, the conflict of decisions and the compromise legislation resorted to to compose the strife, yet the subject is well worthy of an abler pen, and teems with interesting incidents. It was in the closing years of this controversy that my own knowledge of land law began.

On the dissolution of the Pennsylvania Population Company in or about the year 1812, its lands in this county passed, in 1813, into the hands, chiefly, of William Griffith, of New Jersey, and John B. Wallace, of Philadelphia. Their adventure failed, probably by reason of the universal depression following the war of 1812. A partition was made, Mr. Griffith taking the land contracts, including the compromises, which were all on time, and Mr. Wallace the unsold parts generally. Mr. Griffith's portion afterwards passed into the hands of assignees or trustees, and Mr. Wallace, in December, 1818, conveyed the remainder of his portion to the Farmers' and Mechanics' Bank, of Philadelphia, in payment or security for debt. These lands of the Bank lay for years without attention. In 1832 the Bank, fearing the consequence of delay, sent out its agent and attor-

ney, William Grimshaw, the well known compiler of several school books and minor histories. He was a man of imposing appearance, tall, severe and high-tempered—a man well calculated to impress the settlers with fear of the law's tangled net—not personal fear, for few knew the feeling. He was active and efficient, compromising with some and suing others. A large crop of ejectments followed, some of which found their way to the Supreme Court with various fortunes. About ten years later the Messrs. Huidekoper, of Meadville, having purchased the interest of the assignees of William Griffith, compromised on fair terms, and to their credit be it said, brought few or no suits. But time will not allow me to pursue this subject. It would be interesting to a Philadelphian, familiar with the names of the families of 1792, to run over the names of the warrantees of that year. To this day, as I walk the streets of that city, I read their familiar names on the doorplates of their houses. By compromises, by trials, and by the operation of the statute of limitation, under a change of judicial interpretation, the titles of this county became settled, and an era of improvement began.

It is probably not well known to the Bar of Beaver county, as few date their admission beyond 1850, that the variety of the original land titles in Beaver county exceeds that of any other county in the State. On the south side of the Ohio we have all the various titles, under warrants, improvements and licenses, both of the proprietary and the State governments, applicable to the purchase under the treaty of 1768, to which may be added Virginia entries by settlement under the "corn" law of that State of 1778, and by special grants, recognized by Pennsylvania in her settlement of boundaries with Virginia. One of these titles by Virginia entry is to be found at and below the mouth of Sawmill Run, opposite Pittsburgh, the property being owned in my younger days by West Elliott. General Washington was the owner of titles, under Virginia, to lands lying chiefly in Washington county. On the north side of the Ohio we have the titles under the Donation and Depreciation surveys, with some marked peculiarities, and titles under the act of 1792, by warrant and survey, and actual settlement and survey, involving characteristics still more marked, including the doctrines of abandonment and vacating warrants. These varying elements have also given characteristics to the tax titles of this county, differing in some respects from those in other parts of the State. The difference in the kind of warrants on the north and south side of the Ohio, and in the modes of survey on both sides, often conflicting with each other, made the land titles of the county intricate and difficult.

Returning now to the more specific matter of the place selected for the administration of law, I may recur to the act of 1800 fixing the

county seat and the reasons therefor. A county is one of the great municipal division of the State, essential to the convenient and efficient administration of the government. The first inquiry of a calm and judicious mind is, where is the true centre of convenience, interest, population, and territory—not one of these, but all. It was quite natural that the legislators of that day would remember the town which the State herself had laid out with generous squares, and liberal avenues, and in which she had reserved eight squares for “public uses;” uses which she reserved to herself to appoint. It was on the site of the old French town, and of Fort McIntosh, to which a fine military road had been laid from Fort Pitt by Gen. Broadhead, a road on the south of the river known to this day as “Broadheads,” reaching the Ohio and coming down the hill opposite Beaver. The location of the town was most favorable. Beaver stands on a beautiful, healthy, and commanding plateau, elevated about 130 feet above the river, and containing about 1,000 acres, fronting upon the Ohio to the southeast, and just below the Big Beaver. Of this plain one whom many of you knew, a son of one of Beaver’s earliest and most eminent lawyers, and a child of genius has beautifully written. Here he was born, here his eyes rested for the last time on the fair scene he depicted, when running a race with death, to the balm of California skies. But death outran him, and he died in Sacramento in January, 1870. His remains now lie here where he wished them to rest. Allow me a single extract from this description :

“The skies which overhang the hill guarded plain are peculiarly rich and soft—are in unison with the scenery which is boldly beautiful rather than sublime. It seems as if, in carving the outline of my native village, God had cut an exquisite brooch to nestle on the bosom of nature. Here dear ones sleep in a tasteful cemetery; among them my honored father, and the mother, whose memory has, for many years, been to me a living passion. I often think, that when my rambling life is over, if it please God, I would love to sleep, until the voice of Jesus shall quicken me into the full immortality of redemption, where the bawl of my native river shall sweetly and sadly resound round my grave. These hills shall lovingly guard and these skies overshadow many generations after I and mine shall dwell together in the dust. Then shall they be fused and furled in fire—the time of the end shall have come. Happy they who shall stand up in the lot of childlike believers in Jesus. Something whispers, *Jam claudite rivos.*”

These were among the last brilliant utterances of the Rev. Franklin Moore, D. D., in his flight ere death caught up, before he had crossed the continent. But the beauties of the plain and the memo-

ries attending it were not the substantial reasons for fixing the seat of justice here. It had centrality of territory, population, convenience and interest. Beaver stood on the bank of the great river of the west. Entering the county on the southeast at the mouth of the Big Sewickly, the Ohio ran northwest to the mouth of the Big Beaver then turning in front of the town it ran a little south of west to the Ohio State line. The Big Beaver coming in from the north, and bearing onward the waters of the Mahoning, Shenango, Neshannock, Slipperyrock, Connoquenessing, Brush Creek, Hickory Creek, Brady's Run, and minor streams, concentrated the valleys of all these water courses, like the radii of a circle, on the Ohio at the mouth of Big Beaver. So Raccoon entering the county at White's mill on the south ran north nearly midway, entering the Ohio just below the Beaver plain. Thus nature had planted this fine plateau right at the center of four great valleys, on the north, east, south, and west. These valleys and their corresponding ridges constitute the great channels of travel, all centering here. These again are fed by the smaller valleys and ridges leading into them—the Six Mile Run, Four Mile Run, Two Mile Run, Dutchman's Run, Crow's Run, Tevebaugh, entering the Ohio on the north side, and Logstown Run, and various streams down to Mill Creek on the South side; while Raccoon bore to its mouth the waters of the Big and Little Trayis, the Service and other streams. Thus stood Beaver at this natural center of travel, and the men of 1800 chose the only true centre of convenience, population and territory. It was no leap in the dark, but the unbiased judgment of men consulting the public interest. They knew that the natural course of travel is along the valleys, and upon the ridges, such as the Ohioville, Achortown, Broadhead and Frankfort roads, and that public thoroughfares do not seek to cross hills and dales, in ups and downs, like the teeth of a saw, at the expense of horseflesh, vehicles and taxes. These reasons, self-evident then, have never changed, because nature remains the same, and even railroads follow the same law of travel.

The county was organized in 1803 under the act of 2nd of April. The Commissioners erected the public buildings on two of the reserved squares, the court house on that now occupied by this building, and the jail on the next adjacent on the same side of Third street. The first Court was held in February, 1804, in the house of Abner Lacock, on the lot lately owned by John Clark. The jail being first built, the Court was held in the second story of it until the old Court House was completed in 1810. That building was enlarged and improved in 1846, the wings having been rebuilt previously—the eastern wing in 1840, and the western afterward.

A new Court House has been sorely needed for years. Not only

had the old one become unsuitable, unsafe, unhealthy and uncomfortable, but the division of the former offices among a greater number of persons, and the creation of new offices, and the accumulation of records, papers, and record books, the increase of population, and vast change in the subjects and character of litigation heretofore described, and other causes, all rendered a new building adapted to the wants of the present day, an absolute necessity.

Here let me probe a tender spot, which like a wound, needs it. I mean the inexcusable weakness of architects who sacrifice the *purpose* of a building to architectural effect. This is especially true in court rooms. I speak from experience, having presided in many. I have had to place the witness at the end of the bench, and cluster the jury and counsel around him, and thus to put justice in a corner. The architect, big with grand conceptions, and holding before his eyes some ideal of genius, reaches to fame through lofty heights and groined arches, whose grand proportions return the sounds of the voice, in rumblings and echoes, mixed with the original tones, and destroying their distinctness, to the loss of sense and to the prejudice of public interest. The purpose of a court room is the administration of justice, but how can justice be administered by men architecturally deaf? Anything impairing hearing is an absolute wrong to justice. Women and low voiced men are rarely heard in such a room, and their testimony must be repeated by counsel, thus endangering accuracy and encouraging a vicious habit of repetition, when not necessary, but used by counsel for effect on the jury. Human tribunals are imperfect at the best, yet how much worse it is, when the access to justice is cut off, by barring out distinctness of sound. The loss of a monosyllable will destroy the truth of a statement. See the consequence in a trial for life and death. The only real success in a court room known to me, was the result of an accident. The new Supreme Court room at Harrisburg is built alongside the Land Office, whose low height of ceiling regulated that of the new court room. As a consequence hearing is good. I would except also the new Supreme Court room in Philadelphia, which is also good.

At the first court held in February, 1804, the Hon. Jesse Moore presided. He was the President Judge of the sixth circuit, composed of the counties of Beaver, Butler, Crawford, Mercer and Erie. His Associates were Abner Lacock, John H. Reddick, and Joseph Caldwell. Abner Lacock resigned; and David Drennan was appointed and took his seat on the 5th of February, 1805. On the death of Judge Caldwell his vacancy was not filled, the number of Associates, in the meantime, having been limited by law to two. John H. Reddick and David Drennan continued together until 1830, when Judge Reddick died, and Thomas Henry was commissioned May 19,

1830, by Governor Wolf. Judge Drennan died in 1831, and on the 19th of August the Governor commissioned Joseph Hemphill.

In 1806 Beaver county was transferred from the 6th to the 5th circuit, and Samuel Roberts became the President Judge of this county as part of his district. He was the author of the Digest of the English Statutes in force in Pennsylvania. On his death in 1820 he was succeeded by William Wilkins, his commission dated on the 18th of December. On the appointment of Judge Wilkins to the District Court of the United States, Charles Shaler succeeded him as President Judge of the 5th District. He sat in Beaver until the formation of the 17th District, by the act of 1st April, 1831, composed of the counties of Beaver, Butler and Mercer. John Bredin, of Butler, was appointed President Judge of the new district, and continued to preside until his death on or about the 22d of May, 1851. He was followed by myself, appointed in July, 1851, elected in the following October, and re-elected in October, 1861. I continued until December, 1863, when I became an Associate Justice of the Supreme Court. Judge L. L. McGuffin followed, then B. B. Chamberlin; after him A. W. Acheson, followed by Henry Hice, Beaver county having in the meantime gone into the 27th district, composed of Beaver and Washington, and is now a separate district, numbered the 36th.

At the first court in this county, in February, 1804, the following gentlemen, attorneys in the Fifth Circuit, were admitted to practice in Beaver, viz:

Alexander Addison, Thomas Collins, Steele Semple, A. W. Porter, John B. Gibson, Sampson S. King, Obediah Jennings, William Wilkins, Henry Haslet, James Allison John Simonson, David Reddick, Parker Campbell; David Hays, C. S. Sample, Henry Baldwin, Thomas G. Johnston, Isaac Kerr, James Mountain, Robert Moore, William Ayres and William Larwill. Among these names will be recognized some of the most eminent men in Western Pennsylvania, at a time when the Bar of the Fifth Circuit was unsurpassed by any Bar in the State. The only name I miss from this roll is that of James Ross, the leader of the Bar at that early day, unrivalled for learning, polish and legal erudition.

Of those who located in Beaver, James Allison and Robert Moore were among the most eminent, both being men of learning and ability. John Bannister Gibson, afterwards the great Chief Justice, remained but a year and a half, leaving the county young, and before he had achieved reputation.

When I came from Pittsburgh to this county in 1829, the resident lawyers were James Allison, Robert Moore, John R. Shannon, William B. Clark and Sylvester Dunham. The court was frequented, however by eminent lawyers, Walter Forward, W. W. Fetterman,

Henry M. Watts and William Wilkins. N. P. Fetterman, a younger brother of W. W. Fetterman, did not come until 1832. The most regular practitioner from abroad was Isaac Leet, of Washington.

Here allow me to correct an error in the county history of James Patterson. I did not study law with Robert Moore, but with Henry Baldwin and W. W. Fetterman. Mr. Baldwin was afterwards a Judge of the Supreme Court of the United States, not of this State, as set down. He was an extraordinary man, highly endowed both physically and intellectually. His voice was of remarkable strength and led me to make my first observation upon the quality of voices. On the 4th of July, 1828, in the Presidential contest between Mr. Adams and General Jackson, he delivered, in favor of Jackson, whom he supported with great ardor, an elaborate address, (having copied it I attest the labor). The meeting took place in the rear of the James S. Stevenson property, now occupied by the Pittsburgh, Fort Wayne and Chicago Railroad Company, on Penn street. The crowd was immense, and I stood upon the very verge, so distant that though I heard the thunder of Baldwin's voice, I distinguished but little he said. But when Judge Wilkins spoke, his voice, with scarcely a tithe of the power, traveled over the crowd in silvery tones, so clear, so distinct and so musical, not a word escaped me.

Of the Beaver county lawyers, Robert Moore died on the 14th of January, 1831. At the following April term Judge Shaler, on leaving the bench, delivered a beautiful and just tribute to his memory.

James Allison died on the 17th of June, 1854. His son William, a most promising lawyer, having died before him, on the 23d of July, 1844.

John R. Shannon died in February, 1860. Sylvester Dunham had left the bar many years ago. He is dead, but the time of his death is unknown to me. William B. Clark is yet alive, living on the Pennsylvania railroad, three or four miles out from Pittsburgh.

The first Prothonotary of the county was David Johnston, the first Sheriff was William Henry, not Thomas, as published lately.

The first suit brought at February term, 1804, was an action for slander, by William Fulks. I mention this because he was reported to have been the first permanent settler north of the Ohio in 1792. He was one of the few hardy men who braved the Indians, and settled in now Ohio township, between what was known as the Salem meeting house and the Little Beaver. With his settlement is connected a memorable occurrence. Suits were brought against many of the settlers in the United States Court, at Philadelphia, and judgments by default pretty generally taken. Judgment went against Fulks, and the Marshal, W. B. Irish, of Pittsburgh, in 1808 came with a posse to dispossess him. When approaching his land the

Marshal and his men were waylaid and fired upon, a bullet intended for Irish killing Hamilton, a settler, who had compromised, and was accompanying the Marshal by request. It is said by some the bullet was intended for Ennion Williams, Agent of the Pennsylvania Population Company.

Time would fail to recount the many memories and the interesting incidents of the early settlements. And now in closing let me invite your attention to one more thought, the last but most important. I mean the debt man owes to law. We are a peaceful, prosperous, and happy people. After the bounties showered down upon us by a kind Providence, to this great principle, more than to all others, do we owe our choicest blessings.

The air we breathe is about us, pressing us on all sides, yet we perceive it not. It is yielding, soothing, sustaining—whispering to us in Æolian music, and breathing upon us its cooling balm. Without it, man lies gasping, dying. It is forever with us, and yet we forget its presence, even while we inhale it. But this vast empire of ether, which upholds, maintains and blesses human life is the most true and beautiful type of law. The silent and unperceived and gentle influence of law surrounds, preserves and protects man, every moment and hour of his life.

It is only in the enforcement of law it is seen and its influence felt. Here in this place dedicated to its service—a temple reared to Justice—it becomes visible and its energy is manifested. Like the copper vase in the Arabian tale, dragged by the fisherman's net from the sea, this hall contains the hidden spirit of its mighty power. When the vase was opened, a genius came forth, at first of thin and vapory form, but rising and gathering it opened wider, and rose higher, until towering over land and sea, his awful form brought dread upon all beneath. Thus when the portal of justice is opened, though by feeble hands, law spoken in the weakness of human breath, issuing from these walls, and taking the form and attribute of judgment, spreads itself throughout the land, among the thousands who inhabit it, visiting every habitation and every person, and carrying safety and protection everywhere. It is to the due administration of law, therefor, we must look for its most just and beneficent results.

Cherish then, my friends, those who administer it in sincerity and truth, though unpalatable and therefore unpopular their judgment may be. Strengthen their hands for their good work, remembering that when injury reaches them, you suffer. Give them your countenance and cordial support, for where virtue flourishes good government reigns.